



MURIEL GOODE-TRUFANT  
Corporation Counsel

THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

JOHN SCHEMITSCH  
Senior Counsel  
Phone: (212) 35635395  
Fax: (212) 356-3509  
jschemit@law.nyc.gov

February 24, 2025

**VIA ECF**

Honorable Paul A. Engelmayer  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Naquan Cintron v. City of New York, et al., 24-cv-06602 (PAE)

Your Honor:

I am a Senior Counsel in the office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, representing defendant City of New York in this matter. Defendant write to respectfully move the Court to compel plaintiff to provide a Section 160.50 release pursuant to Local Rule 83.10(1)(a).

By way of background, plaintiff brings this action, pursuant to 42 U.S.C. § 1983, alleging false arrest and excessive force, *inter alia*, against the City of New York, and individually named defendants Officers Hua, Gutierrez, and Travis. Plaintiff filed his complaint on August 31, 2024, and, per the civil docket sheet, the complaint was served on the City on November 21, 2024. ECF Nos. 1 and 4.

Local Rule 83.10(1)(b) provides that in a case, such as this, for which Local Rule 83.10 applies, plaintiff must serve on the City a 160.50 release at the same time as he serves the complaint. See Local Rule 83.10, ECF Entry dated September 3, 2024. Defendant cannot obtain the sealed arrest records pertaining to the underlying incident without such a release. Plaintiff did not provide one at the time the complaint was served, on November 21, 2024.

The undersigned wrote to counsel for plaintiff on December 19, 2024, providing a copy of Local Rule 83.10 and requesting the required release, which counsel indicated would be forthcoming "ASAP." The undersigned followed up in writing to plaintiff's counsel again on January 3, 2025 and January 28, 2025, and received no response from plaintiff's counsel. On February 7, 2025, the undersigned again wrote to plaintiff's counsel, indicating that defendant would seek the Court's intervention if the required release was not provide by February 14,

2025. To date, plaintiff has not provided an executed 160.50 release required under Local Rule 83.10.

As such, pursuant to Local Rule 83.10, defendants request the Court issue an order compelling plaintiff to provide an executed 160.50 release by a date certain.

Thank you for your consideration herein.

Respectfully submitted,

/s/  
John Schemitsch  
*Senior Counsel*

cc: **VIA ECF**  
All Counsel of Record

Any response by plaintiff is due February 27, 2025.

SO ORDERED.

  
\_\_\_\_\_  
PAUL A. ENGELMAYER  
United States District Judge

Dated: February 25, 2025  
New York, New York